

# \$1,700,000 COST OF TWO YEARS WRECKS

Lawyers Say Collision Will Result in \$500,000 Loss to Company.

## GRIEF NO CONSIDERATION

Damages Are Given Only if the Person Killed Left Dependent Relatives.

The probable cost of the latest New Haven wreck in money damages to be paid by the railroad company to the injured and the legal representatives of the dead is estimated at \$500,000 by experts of the Interstate Commerce Commission and at \$500,000 by lawyers experienced in the trial of negligence actions.

The cost to the railroad of the fourteen New Haven wrecks in the last twenty-seven months, in which seventy persons were killed and 400 injured, is estimated at \$800,000 for the dead and \$300,000 for the injured.

These estimates are based on the results of the actions against the New York Central Railroad, arising out of the collision in the Park avenue tunnel on January 8, 1909, when thirty persons were killed and thirty-six injured. Many of the victims were New York business men.

The New York Central paid \$1,000,000 to the victims or their families.

The cost to the New Haven road of the latest wreck damage to its equipment and in the expense of clearing away the wreck is estimated at \$100,000. An indication of the expense involved is shown in reports by the Interstate Commerce Commission of the damages to equipment and the cost of clearing away the wrecks.

### What Railroads Pay for Deaths.

The cost for the last five years was as follows: 1907, \$12,685,702; 1908, \$10,182,460; 1909, \$7,480,203; 1910, \$9,823,691; 1911, \$9,851,780; and 1912, \$11,527,488. The officials of the Interstate Commerce Commission believe that the cost in 1913 will exceed all previous records.

The records show 188,037 persons killed and 1,398,618 injured on railroads in the last twenty-four years. That is an average of 7,835 persons killed and 58,160 injured. Over 53 per cent. of the whole number killed are classified in the records as "trespassers."

The Pennsylvania, Southern Pacific, New York Central, Atchafalaya, Topeka and Santa Fe and the Chicago and Northwestern railroads have organized safety committees among their officials and employees with good results.

The Chicago and Northwestern's report for the three years ended June 30, 1913 is as follows: 153 persons killed, 83 passengers injured, 6,433 passengers injured, 133 outsiders injured, 157 outsiders injured.

It is estimated that \$50,000,000 was paid out last year in personal claims for accidents on railroads.

The law under which suits may be brought to recover death claims against the New Haven road is stated in the following in the American and English Encyclopedia of Law:

"There being no right of action at common law for an injury causing death, the plaintiff in such an action must specify and aver and prove that the laws of the State where the injury occurred permit such an action, unless the action is brought in the State where the injury occurred. And if it appears from the facts of such averment and proof, or from proof by the defendant, that the laws of the State where the injury occurred provide for no such action, the suit must be dismissed without regard to the provisions of the lex fori."

"When the plaintiff brings his action in a State where the injury did not occur he must plead the laws of the State where the injury occurred fully, and must set forth so specifically that it will appear that the defendant had owed a duty which it failed to discharge, and that the injury thereby resulted to the plaintiff, and that such an injury was recognized by the laws of that State. The defendant is not bound to allege or show where the injury occurred or that it was committed in another State. It is the plaintiff's duty to allege and prove that he had the right, under the law and the facts, to maintain his action."

The law of the State where the injury occurred governs as to who must institute the action and as to what disposition shall be made of the damages recovered.

The Connecticut law fixed the minimum limit of recovery in an action against a person wrongfully causing the death of another at \$1,000, and the maximum limit at \$25,000.

The Connecticut law was amended in 1902 to the disadvantage of the claimant for damages, in that the minimum recovery of \$1,000 was removed.

Under the decision of the Court of Appeals of New York in Wood v. W. N. Y. and P. R. R. litigants suing in New York are not bound by the limitations of those States but may recover any amount of damages a jury decides they have suffered.

Cheaper to Kill Than Maim.

There is no limitation in any State to the amount that may be recovered for personal injuries, which frequently makes it more expensive for a railroad to maim passengers than to kill them outright.

"That's why women instead of steel coaches are used," said a lawyer discussing the case.

Suits may be brought against the railroad in the State where the victim lives, and it is only necessary for the complainant to show that the right of action is permitted under the laws of the State in which the injury occurred. Accordingly residents of New York may sue here either in the State or Federal courts. If suit is brought in the State court the action will be transferred by the railroad company to the Federal court, as there is a right to have the railroad is a foreign corporation.

Charles Steedler, who is associated with his brother, ex-Judge Alfred Steedler, in the law firm of Alfred & Charles Steedler, and in the last thirty-five years has tried more negligence cases for plaintiffs than any attorney in New York and possibly more than any lawyer in the country. He has been successful in many of the litigation against the New Haven road with a \$100,000 reward.

"It is a very difficult proposition to give an opinion on the amount of damages that might be awarded in cases resulting from the New Haven wreck because there are so many elements that must be taken into consideration, and no case is exactly like another. As to those killed the first thing considered is the age of the victim, second, his earning power, third, his condition of health prior to the accident, and finally, but most important, the next of kin who were dependent on him and who will suffer a money loss by his death."

It must be remembered that the law provides no compensation for grief or mental suffering, and unless there is some proof that there are next of kin in some way dependent upon the victim no damages will be awarded. In the case of a wealthy young man of age 25, a college graduate and able to earn a comfortable income if he was obliged to do so I should say a jury might give a verdict of \$25,000 or \$30,000 to the victim, brother or sister, or to the father, even though the next of kin might be well to do. Verdicts of \$50,000 and \$75,000 have been returned.

There is one rule of law for the death of a breadwinner and another as to a man of means. If the man earned \$25 a week and was in the prime of life and

## Damages Paid by Roads For Loss of Human Life

The actions brought against the New York Central Railroad as a result of the collision in the Park avenue tunnel in 1902, when fifteen persons were killed and thirty-six injured, are taken as the basis of the amounts which will be paid to the relatives of the victims of the wreck on the New Haven road last week. The sums paid are as follows:

William Leys, general manager of B. Altman & Co., who received a salary of \$30,000 a year, and left a wife and four children, \$100,000.

Edward C. Hinsdale of the Morton Trust Co., who had a wife, a daughter and an income of \$5,750 a year, \$40,000.

E. C. Dimon, consulting engineer of the American Bridge Co., who had a wife and five children, \$60,000.

A. F. Howard, a corset manufacturer, and his wife were killed. Suits were brought in behalf of their daughter, known as the "tunnel orphan," which were settled for \$19,000.

Oscar W. Meyrowitz, general manager for his brother, E. B. Meyrowitz, an optician, earned \$3,600. His wife got \$20,000.

E. F. Walton, member of the Stock Exchange firm of De Coppel & Doremus, who earned \$26,000 a year, \$70,000.

Frank Crosby, whose father sued for \$100,000, got \$7,500.

Albert W. Adams, a carriage manufacturer, whose leg was cut off, received the largest sum awarded for the loss of a limb, \$25,000.

Peter Murphy, known as the "tunnel hero," who was seriously injured, settled his claim for \$18,500.

The largest sum ever paid by a railroad company in settlement of a claim for negligence was paid by the New York Central for the death of Spencer Trask, who was killed near Croton on December 31, 1909. His widow received \$60,000.

In good health verdicts up to \$25,000 will be upheld. If a man earned \$25,000 a year and left a wife and family dependent on him there might be a verdict up to \$100,000. If the victim leaves no next of kin there can be no cause of action against the railroad, for no one suffers any monetary damage.

"As to the verdicts that might be awarded to persons injured in the wreck, the question is much more complex, since the victim may collect for suffering, for loss of money while in the hospital or for permanent injury to a limb or to any part of the body. The amount of the verdict depends largely upon whether there has been a full recovery from the injury. I have had a verdict as high as \$15,000 for an arm cut off, and my experience has been that a lost arm brings more than a leg."

"It is difficult to say what a jury will do in a case. Not long ago one of my clients got \$20,000 for the death of her husband, who was a motorman, while the wife of a conductor got only \$6,000, although the earning power and age of the two men were about the same."

Lawyers who discussed the wreck from the standpoint of negligence claims said that the lesson of the New York Central's Park avenue tunnel collision in 1902, when more than \$1,000,000 was paid for the death of fifteen and injuries to thirty-six because the railroad company refused to make settlements in many cases on account of the large amounts demanded would result in the payment by the New Haven of liberal sums to the injured and the next of kin of the dead. The New Haven has pursued this policy since the first of the recent series of wrecks in 1911 and as a result only a few suits have been brought.

A surprising case of the New Haven's apparent carelessness in the matter of safety has come to my attention," said a lawyer. "Three years ago a verdict for \$15,000 was obtained by a person who was injured through the failure of the railroad company to keep a small section of fence on its right of way repaired. The company appealed, and the verdict was paid. The plaintiff's lawyer then brought an action for the same injury, claiming that the fence had been repaired a few days ago and noticed that the fence, which could have been repaired for \$25, is still down."

## WIFE STEALS TO ESCAPE DRUGGERY IN HER HOME

Never a Kind Word From Husband and Son, She Prefers Jail.

A neatly dressed woman of 40, who refused to reveal her identity, was held yesterday in the Adams street court on a charge of shoplifting. She was charged with stealing a quantity of goods from a store on Broadway, and she had stolen in order that she might be sent to jail to escape the "drugger" of her home.

A woman entered a Fulton street department store yesterday morning and, without making any attempt to conceal her actions, picked up a remnant of silk from one of the counters. From another she took an ostrich feather and slowly walked out of the store with both articles in her hands.

A store detective arrested her on the sidewalk and turned her over to Detective Robertson of the Adams street station. When searched she was found to have a savings bank book showing a small deposit in the name of Isabel Andrews. She declared that the bank book belonged to her ten-year-old daughter, but that the latter's name was not on the book.

When arraigned before Magistrate Nash the woman said she went into the store for the purpose of being arrested for shoplifting. She declared her husband never had a kind word for her and that her seven-year-old son was following in his father's footsteps.

"It is drudge, drudge, drudge," she sighed wearily from the moment I got up early in the morning to prepare breakfast until I lay my weary head on the pillow late at night. I'd like to go to jail for a rest, a rest for a long time."

The woman appeared elated when taken to Raymond street jail. Up to a late hour last night she had not been identified.

## YOUTH SHOT DEAD IN STREET.

Murderers Drive Away, and Crime Is a Mystery.

At the dark junction of Berry street, Division avenue and South Eleventh street, Williamsburg, a spot favored by a gang of young men as a place to shoot traps and drink beer from a can, a youth named James Brady of 558 Wythe avenue, was standing alone at 6:45 o'clock last night. There were no policemen in sight and the only witness to the murder that followed was Edward Tamney, night watchman at McLoughlin Brothers' publishing plant on the corner.

The gathering crowd summoned Police Lieutenant Smith, who brought with him half a dozen men from the Clymer street station house. No arrest had been made at a late hour last night, nor could the police learn the reason for the shooting.

The murderer and his companions evidently had been held in readiness for some time. Watchman Tamney ran to Brady's assistance. With no one to pursue them the gang escaped by driving at a gallop north through South Tenth street toward East River. Brady died while being taken to the Williamsburg Hospital in an ambulance.

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## UPLAND GUNNING SEASON BEGINS

Game That May Be Shot in the Eastern States in September.

September is the month in which the upland game season opens. Upland game includes rabbit, squirrel, quail, wild turkey, grouse, pheasant and dove, although there is no open season in the East for the latter bird. One State, Maine, is now enjoying an open season for rabbit and squirrel.

Next week will see the opening in Maine for grouse and in Vermont for rabbit, squirrel, quail and grouse. The first of next month will bring the opening of the season in New Hampshire for rabbit, quail and grouse and in New York for rabbit, squirrel, quail and grouse.

On the first day of next month the deer season opens in Maine, New Hampshire and New York, excepting Long Island, which will have no open season for deer this year. The most regretful statute to the gunner in New York is that he will not be permitted to kill quail this season except on Long Island, where a special season has been provided for November and December. The quail season in the rest of the State is closed until November, 1913.

The upland game season for New England and the Middle States is as follows:

Maine: Rabbit, Sept. 1 to April 1; squirrel, Sept. 1 to Nov. 1 (certain species); quail, no open season; grouse, Sept. 15 to Dec. 1; pheasant, no open season; dove, no open season.

Vermont: Pheasant, quail, grouse and dove, no open season; rabbit, Sept. 15 to March 1; squirrel, Sept. 15 to Dec. 1.

Massachusetts: Prairie chicken and dove, no open season; rabbit, Oct. 15 to March 1; squirrel, quail and grouse, Oct. 12 to Nov. 13; pheasant, permit necessary; wild turkey, not until Sept. 1, 1915.

Rhode Island: Dove, no open season; rabbit, squirrel, quail and grouse, Nov. 1 to Jan. 1; pheasant, not until Oct. 15, 1915.

Connecticut: Rabbit, Oct. 8 to Jan. 1; squirrel, quail, grouse and pheasant, Oct. 8 to Nov. 24; dove, no open season.

New York: Rabbit, Oct. 1 to Feb. 1; squirrel, Oct. 1 to Nov. 16; quail, not until Oct. 1, 1913; grouse, Oct. 1 to Dec. 1; pheasant, Oct. 2, 9, 16, 23 and 30 (males only).

Long Island: Dove, no open season; rabbit, squirrel, quail and grouse, Nov. 1 to Jan. 1; pheasant, Nov. 1 to Jan. 1 (males only).

New Jersey: Rabbit, squirrel, quail, grouse, prairie chicken and wild turkey, Nov. 10 to Dec. 31; pheasant, Nov. 1 to Dec. 16 (males only); dove, no open season.

Pennsylvania: Rabbit, Nov. 1 to Jan. 1; squirrel, grouse and pheasant, Oct. 15 to Dec. 1; quail, Nov. 1 to Dec. 1; wild turkey, not until May 8, 1915; dove, no open season.

## HOT SPRINGS APPEALS FOR AID.

Fire Loss Put at \$12,000,000 With 25,000 Homeless.

HOT SPRINGS, Ark., Sept. 6.—At a second mass meeting this afternoon it was decided to appeal to other cities for relief for the victims of yesterday's fire. It was a difficult problem to shelter the 25,000 fire sufferers to-night.

An estimate on the loss caused by the fire is placed at \$12,000,000. Charred wreckage covering nearly a square mile in the southern extremity of Hot Springs was all that was left of many important buildings and the homes of 25,000 residents.

CHICAGO, Sept. 6.—Fire insurance interests in Chicago to-day estimated that the Hot Springs conflagration's insurance loss will be nearly \$3,000,000. Of the local insurance companies neither the Prussian National, the Calumet nor the Central National was doing business in Arkansas. The companies named placed net losses as follows: Springfield, \$35,000; Fidelity Phenix, \$31,000; Fireman's of New Jersey, \$30,000, and Sun of England, \$25,000.

Seventy-three companies are operating in Arkansas, which had a premium income last year of \$2,688,508. The Hartford led with \$1,875,732, followed by the Fidelity with \$1,225,090, the Sun with \$1,200,258, and the German American with \$1,027,806.

Mr. Mulhall received \$245,000 during the same period for the legislative and campaign work. Mr. Frawley stated that the records did not throw much light on the disbursement of this fund by Mulhall, but that his audit of the records substantiated in many particulars the testimony of Mulhall before the committee.

# All Departments Join in New York's Biggest Sale of the Week 35th Anniversary

New Fall Merchandise offered for less than it will be priced one month later, with the added advantage that you get an extra month's service for less money. In some instances prices are the lowest in the 35 years' history of the Simpson Crawford Co.

To-morrow and Tuesday Are Souvenir Days—Look for the Circles—Cut Out the Coupon.

In this advertisement are four circles—4—be sure to find all. Each circle contains a carefully chosen souvenir value surprisingly low in price. Read the details in the coupon—upper right-hand corner.

### Important

Souvenir Specials are intended strictly for our customers—not for dealers. We are therefore obliged to limit each coupon (see coupon above) to one Souvenir Special. This will insure a large distribution of Souvenir Specials throughout New York and vicinity.

### Restaurant—8th Floor.

Cooler Dining-Room in New York. Refined Mid-Day Cabaret with Sorlin's Orchestra. Popular Prices. Express Elevators. Seating Capacity 1,000. Monday—Souvenir Day for Ladies. Eau Gortle's Miniature Set Free.

### Charge Customers

Are invited to participate liberally in Our 35th Anniversary. High Quality. Low Prices.

### Coupon

Cut out and bring to Simpson Crawford Co.'s Store Monday or Tuesday. This Special Anniversary Coupon entitles the bearer to purchase one out of the 4 Souvenir offerings advertised on this page at the Souvenir Price. Souvenir Specials will be sold only to holders of coupons, and only one Souvenir Special to each purchaser. No Souvenir Special will be delivered or charged. No mail or C. O. D. orders will be filled on Souvenir Specials.

## 35 Years Leaders of Fashion

# Simpson Crawford Co.

SIXTH AVE., 19th TO 20th STREET.  
IN NEW YORK'S SHOPPING CENTRE

### 50c Value

Sold only on presentation of coupon.

#### Eoy's Bell Blouses

New Patent Invisible Tape. Limit, Two.

### Souvenir Price 21c

Second Floor.

### \$1.25 Value

Sold only on presentation of coupon.

#### German Silver Vanities,

Engraved designs, fitted with card, bill and powder can, hair case, mirror, two coin holders and tablet. Limit, one to a customer.

### Souvenir Price 50c

Main Floor.

### \$1.25 Value

Sold only on presentation of coupon.

#### New Lingerie Blouses

High and low neck models. long and 3/4 sleeves. Limit, two.

### Souvenir Price 44c

2nd Fl.

### \$1.00 Value

Sold only on presentation of coupon.

#### For Women

Lambkin Glace, two-lap, over-shoulder, heavy wide silk handkerchiefs, embroidered backs. White gloves with black embroidered backs. Limit, two pairs.

### Souvenir Price 40c

Main Fl.

## Our Misses' Section

Where the leading new fashions for the younger set first make their appearance, offers

The New \$14.75 Sports Coat for \$8.75

Three Hundred of Those Wonderfully Clever Chinchilla Sports Coats

In a smart 38-inch boxy style, with large patch pockets and broad stitched belt at hips.

Just the coat every miss wants and never dreamed of getting for such a low price.

Only 300, and surely there are ten thousand misses who will want Sports Coats. Many will pay \$14.75 for the style, quality and workmanship we offer for \$8.75.

Notice the ornamental buttons and the rich colors such as Nellore, Copen, Royal, Amber, Hunter and Navy. Also White Chinchilla Sports Coats, worth \$14.75, for \$8.75.

Size 14 to 20 years—a real surprise party for the younger set. But only 300 invitations.

## Fruit of the Loom

75,000 yards Fruit of the Loom and Lonsdale bleached muslins, full yard wide, limit 15 yards. No phone, C. O. D. or mail orders filled. At 6 1/2c

MERCERIZED TABLE DAMASK—Large Size Napkins

Snow white, permanent finish. Extra quality, all linen; values to \$3.25 per half dozen, slightly imperfect, at 98c

## The New Imported Beaded Tunics & Coats That Paris is Raving About Are Here at

\$19.50 Val. \$22.50 Val. \$25.00 Val. \$29.50 Val. \$8.95

A large and representative line that would do credit to an exclusive Dressmakers' Supply House.

Dressmakers may buy them and sell them as made-up costumes at enormous profits.

Smart dressers may own them first hand and save many dollars.

Famous for their sales of Robes, Tunics and Beaded Coats that have thrilled New York for years, Simpson Crawford Co. uphold their reputation by this event whose equal we cannot recall.

These very newest Autumn styles are most exclusive and so artistically fashioned that they harmonize with the most intricate draperies. Every new French idea is embodied in these tunics and coats in cut, coloring and draping. We made the purchase in the usual way through our Paris Representative.

DESCRIPTIONS

Black double-warp silk Brussels net tunics studded with pearls and glittering crystal beads.

Tunics of black chiffon in coat effects, studded with cut jet and variegated beads.

Tunics of white French Net, studded with Rhinestones and crystal beads.

Many odd tunics in exclusive styles.

To accommodate any of our out-of-town customers that cannot visit the store we will promptly fill all mail orders.

All are regular \$19.50, \$22.50, \$25.00 and \$29.50 values, at one price.

Main Floor.

SIMPSON CRAWFORD CO., Sixth Avenue, 19th to 20th Street, New York City

## New Fall Suits Special, \$14.75

Regular Price \$22.50

From one of our best makers. Man tailored throughout, which means perfect fitting. They have that grace of line that fashionable women insist upon and will render long and satisfactory service.

New smart cutaway coats, 36 inches long, strictly tailored or button trimmed, with notch collars and waist pockets. Skirts are newest, high-grade models, many slashed or button-trimmed. Every suit is lined with guaranteed satin in self or contrasting shades.

Materials are fine serge, whipcord, chevrons in black and navy and fancy zibelines. All sizes from 34 to 44. Regularly \$22.50 and \$24.75. \$14.75 at

Third Floor.

## Fall Millinery, Trimmed and Untrimmed

Anniversary Values Extraordinary

Erect Pile Black Velvet Hats

Beautiful qualities, some with haters' plush crown, others are all velvet, trimmed tastefully with moire ribbon around crown and fancy butterfly of black lace, at \$3.48

## Untrimmed Hat Section

Several styles in erect pile black velvet hats with soft \$1.89 crowns, at

Fifty dozen manufacturer's imported samples of wigs and fancy feathers in the latest Fall shades; \$2.00 values, for this sale at 39c and 75c.

## Free Trimming Service

For purchasers of Untrimmed Hats and Trimmings.

## Wilton Rugs

From the High Class Monitor Mills of Dorman Bros., Philadelphia Purchased Especially for the Anniversary

We secured the entire stock of drop patterns, consisting of rich Oriental and French effects.

Designs to harmonize with any room. We will sell—

9x12 size, value \$37.50, for \$25.50

8.3x10.6 size, value \$34.50, for \$24.50

6.9x9 size, value \$27.50, for \$19.50

4.6x7.6 size, value \$16.90, for \$11.50

\$27.50 9x12 Seamless Royal Wilton Velvet Rugs \$15.95

New Designs New Colorings Designs Suitable for Any Room

Other Important Anniversary Values, Such as

\$32.50 9x12 Seamless Royal Axminster, at \$21.95

\$18.00 6x9 Seamless Royal Axminster, at \$12.95

## Oriental Rugs

A New Consignment at Specially Reduced Prices

ORIENTAL HALL RUNNERS

Reg. \$47.50 to \$125.00 \$29.75

PERSIAN MOSOUL RUGS

Value \$18.50 to \$35.00 \$15.00

ROYAL KURDISTAN RUGS

Value \$30 to \$47.50 \$24.75

MAHAL CARPETS

Value \$27 to \$38.50 \$14.75

MAHAL CARPETS

Value \$127 to \$185; 8.6x12.7 to 10x13. \$87

Val. up to \$24.50 Now \$12.75

Fourth Floor.